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DATE: October 8, 2003

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TO: Examiner Rudy Zervigon

FAX #: 703-872-9310

FIRM NAME: US PTO

PHONE #: 703-305-1351

FROM: Michael D. Van Loy

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EMAIL: vanloy.michael@dorseylaw.com

### COMMENTS:

Re: Application Serial No 09/470,446 and Application Serial No. 09/905,349

Dear Mr. Zervigon

Please find attached form PTOL-413A regarding the application we discussed on the phone this morning (09/470,446). We have also attached an interview request for the CIP application (09/905,349) which is currently under a final action. We would appreciate the opportunity to discuss the interpretation of teachings of the Ohashi reference in regards to the CIP application. If convenient for you, we could do this immediately following the discussion in regards to 09/470,446. If you would prefer to do the CIP interview at another time, please call or e-mail me. Thank you for your consideration.

Regards,

  
Michael Van Loy

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REFERENCE # A-67178 and A-67178-1

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### Applicant Initiated Interview Request Form

Application No.: 09 / 905,349 First Named Applicant: DeDontney  
Examiner: Rudy Zervigon Art Unit: 1763 Status of Application: Final action

**Tentative Participants:**

(1) Michael D. Van Loy (2) Maria S. Swiatek, Esq.  
(3) \_\_\_\_\_ (4) \_\_\_\_\_

Proposed Date of Interview: 10/14/2003 Proposed Time: 4:00 EDT (AM/PM)

**Type of Interview Requested:**

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: \_\_\_\_\_

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### Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej. - 103(a)</u>	<u>1-5,8,11-13</u>	<u>Soichiro/Ohashi</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>Rej. - 103(a)</u>	<u>6,14</u>	<u>Soichiro/Ohashi/Ishii</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

**Brief Description of Arguments to be Presented:**

Applicant and Examiner disagree on the function of the upper portions of 41 in Figure 4 and of 61 in Figure 6 of Ohashi. The Examiner contends that these are "flow dividers" while Applicant maintains that these elements merely control flow velocity in a single container without "dividing."

An interview was conducted on the above-identified application on \_\_\_\_\_

**NOTE:**

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

[Signature]  
(Applicant/Applicant's Representative Signature)

\_\_\_\_\_  
(Examiner/SPE Signature)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 123 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.